

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

1:19 MC 13

IN RE: SEIZURE OF

\$85,426.00 in U.S. Currency seized from  
Phillip Hurt;

Misc. Case No.

JUDGE

JUDGE POLSTER

STIPULATION TO EXTEND TIME  
FOR THE UNITED STATES TO  
FILE A JUDICIAL COMPLAINT IN  
FORFEITURE

The parties to the above-referenced matter, the United States of America and Potential Claimant Chandra Young (hereinafter collectively referred to as the "Parties"), each by undersigned counsel/authorized representative, agree as follows:

1. The above-captioned asset, \$85,426.00 in U.S. Currency (hereinafter referred to as "the currency"), was seized by the Drug Enforcement Administration on October 31, 2017.
2. On September 28, 2018, Chandra Young filed a valid claim in the administrative forfeiture proceeding pursuant to 18 U.S.C. § 983(a)(2), which triggers the 90 day time period within which the government must file a civil forfeiture action or a criminal indictment naming the seized property in a forfeiture specification. No other claims have been filed as of this date contesting the seizure or forfeiture of the seized account.
3. Under 18 U.S.C. § 983(a)(3)(A), the United States must file a judicial complaint in forfeiture against a seized asset not later than 90 days after a valid administrative claim for the seized asset is filed. However, 18 U.S.C. § 983(a)(3)(A) also provides that a court may extend the period for filing a complaint for good cause shown or upon agreement of the parties.
4. Pursuant to 18 U.S.C. § 983(a)(3)(A), and absent an extension of time, the deadline for the United States to file a judicial complaint in forfeiture with respect to the seized account was December 27, 2018.
5. On December 26, 2018, United States District Court Chief Judge Patricia A. Gaughan issued a general order holding in abeyance all civil matters in the Northern District of Ohio in which the United States is a party (Docket No. 2018-15, continued by General Order 2019-1). The government therefore believes this matter is stayed as of December 26, 2018. However, in an abundance of caution, the parties file the instant Stipulation to Extend time to discuss a possible resolution.

STIPULATION TO EXTEND TIME FOR THE UNITED STATES TO FILE A JUDICIAL COMPLAINT IN FORFEITURE (Cont.)

6. Specifically, the Parties are engaged in negotiations in the criminal investigation related to the seizure of the above-captioned currency and need additional time to discuss a possible resolution of the case. Accordingly, the Parties wish to extend the time for the United States to file a judicial complaint in forfeiture against the seized account by 60 days till March 25, 2019.

7. The persons signing this Stipulation to Extend Time warrant and represent that they possess full authority to bind the persons or entities on whose behalf they are signing and that they are unaware of any other potential claimants to the seized account.

8. With respect to the seized account, the Parties agree to an extension of the period for filing a judicial complaint in forfeiture until **March 25, 2019**.

/s/ Eric A. Pack (per telephone consent) Executed this 25<sup>th</sup> day of January, 2019.

Eric A. Pack Esq.

21 Prospect Avenue

Glen Cove, New York 11542

Attorney for Chandra Young

  
for Marisa Darden

(NY: 4717682)

United States Court House

801 West Superior Avenue, Suite 400

Cleveland, OH 44113

Phone: (216) 622-3749

Marisa.Darden@usdoj.gov

Executed this 25 day of January, 2019.

Attorney for the United States

IT IS SO ORDERED:

\_\_\_\_\_  
United States District Court Judge

\_\_\_\_\_  
Date